

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

0 Valuation of Security

0 Assumption of Executory Contract or Unexpired Lease

0 Lien Avoidance

Last revised: August 1, 2020

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:

Case No.: 17-17178

John Considine
Christa Considine,

Judge: VFP

Debtors (s)

Chapter 13 Plan and Motions

☐ Original

☒ Modified/Notice Required

Date: 11/18/2021

☒ Motions Included

☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☒ DOES ☐ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: SG

Initial Debtor: JC

Initial Co-Debtor: CC

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 600 per Month to the Chapter 13 Trustee, starting on
May 1, 2017 for approximately 66 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☒ Future earnings
- ☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☒ Other information that may be important relating to the payment and length of plan:

\$32,333.00 paid to date, with \$419.00 per month paid monthly from 12/2021 for the remaining life of the Plan as extended under 11 U.S.C. §1329(d).

Part 2: Adequate Protection ☒ NONE

- a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).
- b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

- a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ 2625.00 plus supplemental fees as allowed under the former version of DNJ LBR 2016-5
DOMESTIC SUPPORT OBLIGATION	DSO	

- b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:
- ☒ None
- ☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
		\$ 0.00	0%	\$ 0.00	\$ 0.00

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation
		0%	\$ 0.00	\$ 0.00
		0%	\$ 0.00	\$ 0.00

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☐ NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES
the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
Region Oil	All Assets	1226.87	205586.41	249177.00	0.00	0.00	0.00
Asset Acceptance, LLC	All Assets	995.39	205586.41	249177.00	0.00	0.00	0.00

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☐ NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
Specialized Loan Services, SLS Surrendered in full and final satisfaction	20 Sunset Inn Road, Lafayette, NJ 07848	193889.00	0.00

f. Secured Claims Unaffected by the Plan ☒ **NONE**

The following secured claims are unaffected by the Plan:

g. Secured Claims to be Paid in Full Through the Plan: ☐ **NONE**

Creditor	Collateral	Total Amount to be Paid Through the Plan
Chrysler Capital/Santander USA	2016 Chrysler 200	\$28,229.44 (\$25232.00 base plus 5% interest)

Part 5: Unsecured Claims ☐ **NONE**

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ _____ to be distributed *pro rata*
- ☐ Not less than _____ percent
- ☒ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

Part 7: Motions ☐ NONE

NOTE: All plans containing motions must be served on all potentially affected lienholders, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☐ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
Region Oil	All assets	Judgment	1226.87	205586.41	11687.41	249,177.00	1226.87
Asset Acceptance, LLC	All assets	Judgment	995.39	205586.41	11687.41	249,177.00	995.39

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☒ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Other administrative claims including attorney's fees
- 3) Secured claims and arrears
- 4) Lease claims and arrears
- 5) Priority claims and arrears
- 6) General unsecured claims

d. Post-Petition Claims

The Standing Trustee ☐ is, ☐ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☐ NONE

NOTE: Modification of a plan does not require that a separate motion be filed. A modified plan must be served in accordance with D.N.J. LBR 3015-2.

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: 4/9/2017.

Explain below **why** the plan is being modified:

The Plan is being modified to take advantage of the CARES Act

Explain below **how** the plan is being modified:

The Plan term is being extended by 6 months to allow the Debtors to catch up with arrears. The monthly payment is being reduced to pay out the same amount as the original amount of the Plan, but with 6 additional payments to spread out the payments.

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☒ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, *Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: 11/18/2021

/s/John Considine
John Considine
Debtor

Date: 11/18/2021

/s/Christa Considine
Christa Considine
Joint Debtor

Date: 11/18/2021

/s/Scott J. Goldstein
Scott J Goldstein
Attorney for the Debtor(s)

In re:
John Considine
Christa Considine
Debtors

Case No. 17-17178-VFP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Dec 06, 2021

User: admin
Form ID: pdf901

Page 1 of 3
Total Noticed: 39

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 08, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ John Considine, Christa Considine, 4578 Winkler Ave., Apt. 105, Fort Meyers, FL 33966-7025
516757283	Advocare Aerosty ENT Assoc, 400 Valley Rd # 105, Mount Arlington, NJ 07856-2316
516757284	American Expres, PO Box 1270, Newark, NJ 07101-1270
516954310	American Express Centurion Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
516757286	Bank of America/ FIA CARD SERVICES, ATTN: BANKRUPTCY NC4-105-03-14, PO Box 26012, Greensboro, NC 27420-6012
516757291	CSG, PO Box 21490, Philadelphia, PA 19141-0490
516933932	Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
517491575	ECMC, PO BOX 16408, ST. PAUL, MN 55116-0408
517491576	ECMC, PO BOX 16408, ST. PAUL, MN 55116-0408, ECMC, PO BOX 16408 ST. PAUL, MN 55116-0408
516757292	First Financial Asset Mgmt, IN, PO Box 901, Fort Mill, SC 29716-0901
516757293	GC Services Limited Partnership, PO Box 3026, Houston, TX 77253-3026
516757294	IC System, 444 Highway 96 E, Saint Paul, MN 55127-2557
516757297	Mercantile, 165 Lawrence Bell Dr, Williamsville, NY 14221-7900
516757302	NCO Financial Systems, Inc., PO Box 12100, Trenton, NJ 08650-2100
516803748	+ Navient Solutions, LLC on behalf of, PHEAA, PO BOX 8147, Harrisburg, PA 17105-8147
516757303	RAS Citron, LLC, 130 Clinton Rd Ste 202, Fairfield, NJ 07004-2927
516757304	Region Oil, 15 Richboynton Rd # 1, Dover, NJ 07801-2649
516895506	+ Santander Consumer USA Inc., an Illinois corporati, P.O. Box 961278, Fort Worth, TX 76161-0278
516757306	Specialized Loan Servi, 8742 Lucent Blvd Ste 300, Highlands Ranch, CO 80129-2386
516757307	Specialized Loan Servicing/Sls, Attn: Bankruptcy, PO Box 636005, Littleton, CO 80163-6005
516757308	State of New Jersey, N.J. Division of Taxation Bankruptcy Sec, PO Box 245, Trenton, NJ 08695-0245
516915732	+ U.S. Bank National Association, Trustee(See 410), c/o Specialized Loan Servicing, LLC, 8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386

TOTAL: 22

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	Email/Text: usanj.njbankr@usdoj.gov	Dec 06 2021 20:35:00	U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg	+ Email/Text: ustpregion03.ne.ecf@usdoj.gov	Dec 06 2021 20:35:00	United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
516757285	Email/Text: BANKRUPTCY@ASSETACCEPTANCE.COM	Dec 06 2021 20:35:00	Asset Acceptance, LLC, PO Box 1630, Warren, MI 48090-1630
516757289	Email/PDF: AIS.cocard.ebn@aisinfo.com	Dec 06 2021 20:49:18	Capital One Bank USA N, 15000 Capital One Dr, Richmond, VA 23238-1119
516757287	Email/PDF: AIS.cocard.ebn@aisinfo.com	Dec 06 2021 20:49:29	Capital One, Attn: Bankruptcy Department, PO Box 30285, Salt Lake City, UT 84130-0285
516757288	Email/PDF: AIS.cocard.ebn@aisinfo.com	Dec 06 2021 20:49:29	Capital One, Attn: General Correspondence/Bankruptcy, PO Box 30285, Salt Lake City, UT 84130-0285
516757290	Email/Text: enotifications@santanderconsumerusa.com		

District/off: 0312-2

User: admin

Page 2 of 3

Date Rcvd: Dec 06, 2021

Form ID: pdf901

Total Noticed: 39

		Dec 06 2021 20:36:00	Chrysler Capital, PO Box 961275, Fort Worth, TX 76161-0275
517491575	Email/Text: ECMCBKNotices@ecmc.org	Dec 06 2021 20:35:00	ECMC, PO BOX 16408, ST. PAUL, MN 55116-0408
517491576	Email/Text: ECMCBKNotices@ecmc.org	Dec 06 2021 20:35:00	ECMC, PO BOX 16408, ST. PAUL, MN 55116-0408, ECMC, PO BOX 16408, ST. PAUL, MN 55116-0408
516757294	Email/Text: Bankruptcy@ICSystem.com	Dec 06 2021 20:36:00	IC System, 444 Highway 96 E, Saint Paul, MN 55127-2557
516757295	Email/Text: sbse.cio.bnc.mail@irs.gov	Dec 06 2021 20:35:00	Internal Revenue Service, Centralized Insolvency Operation, PO Box 7346, Philadelphia, PA 19101-7346
516757296	Email/Text: PBNCNotifications@peritusservices.com	Dec 06 2021 20:35:00	Kohls/Capital One, Kohls Credit, PO Box 3043, Milwaukee, WI 53201-3043
516757298	Email/Text: bankruptcydpt@mcmcg.com	Dec 06 2021 20:35:00	Midland Credit Management, Inc, PO Box 2121, Warren, MI 48090-2121
516997383	+ Email/Text: bankruptcydpt@mcmcg.com	Dec 06 2021 20:35:00	Midland Credit Management, Inc. as agent for, Asset Acceptance LLC, Po Box 2036, Warren MI 48090-2036
516757301	Email/Text: bankruptcydepartment@tsico.com	Dec 06 2021 20:36:00	NCO Financial Systems, Inc., PO Box 15760, Wilmington, DE 19850-5760
516757300	Email/PDF: pa_dc_claims@navient.com	Dec 06 2021 20:49:20	Navient, Attn: Bankruptcy, PO Box 9500, Wilkes Barre, PA 18773-9500
516757299	Email/PDF: pa_dc_claims@navient.com	Dec 06 2021 20:49:20	Navient, PO Box 9500, Wilkes Barre, PA 18773-9500
517286077	Email/Text: peritus@ebn.phinsolutions.com	Dec 06 2021 20:36:00	PERITUS PORTFOLIO SERVICES II, LLC, LLC/Wollemi Ac, PO BOX 141419, Irving, Tx 75014-1419
517286078	Email/Text: peritus@ebn.phinsolutions.com	Dec 06 2021 20:36:00	PERITUS PORTFOLIO SERVICES II, LLC, LLC/Wollemi Ac, PO BOX 141419, Irving, Tx 75014-1419, PERITUS PORTFOLIO SERVICES II, LLC, LLC/, PO BOX 141419, Irving, Tx 75014-1419
516757305	Email/Text: enotifications@santanderconsumerusa.com	Dec 06 2021 20:36:00	Santander Consumer USA, PO Box 961275, Fort Worth, TX 76161-0275

TOTAL: 20

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 08, 2021

Signature: /s/Joseph Speetjens

District/off: 0312-2

User: admin

Page 3 of 3

Date Rcvd: Dec 06, 2021

Form ID: pdf901

Total Noticed: 39

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 6, 2021 at the address(es) listed below:

Name	Email Address
Brian C. Nicholas	on behalf of Creditor U.S. ROF III Legal Title Trust 2015-1 by U.S. Bank National Association, as Legal Title Trustee bnicholas@kmlawgroup.com, bkgroup@kmlawgroup.com
Denise E. Carlon	on behalf of Creditor U.S. ROF III Legal Title Trust 2015-1 by U.S. Bank National Association, as Legal Title Trustee dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Marie-Ann Greenberg	magecf@magtrustee.com
Scott J. Goldstein	on behalf of Debtor John Considine sjg@sgoldsteinlaw.com cmecf.sgoldsteinlaw@gmail.com;notices@uprightlaw.com;g31979@notify.cincompass.com;goldstein.scottb107612@notify.bestcase.com
Scott J. Goldstein	on behalf of Joint Debtor Christa Considine sjg@sgoldsteinlaw.com cmecf.sgoldsteinlaw@gmail.com;notices@uprightlaw.com;g31979@notify.cincompass.com;goldstein.scottb107612@notify.bestcase.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6